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Fax Cover Sheet

Date: 25 Oct 2007

To: John C. Stringham	From: Humera N. Sheikh
Application/Control Number: 10/612,754	Art Unit: 1615
Fax No.: (801) 328-1707	Phone No.: (571) 272-0604
Voice No.: (801) 533-9800	Return Fax No.: (571) 273-0604
Re: Interview Summary Record (PTOL-413)	CC: Humera Sheikh

☐ **Urgent** ☒ **For Review** ☐ **For Comment** ☐ **For Reply** ☐ **Per Your Request**

Comments:

Attached please find a copy of the Interview Summary Record (PTOL-413), which briefly summarizes our telephonic discussion held 10/25/07 regarding application no. 10/612,754. If you have any questions/comments, please call. Thank you.

Humera N. Sheikh
10/25/07

Number of pages 3 **including this page**

STATEMENT OF CONFIDENTIALITY

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Interview Summary	Application No. 10/612,754	Applicant(s) MOWER ET AL.	
	Examiner Humera N. Sheikh	Art Unit 1615	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Humera N. Sheikh. (3) Perry Brown (attorney).
 (2) John Stringham (attorney). (4) Sandy Bigelow (R&D).

Date of Interview: 25 October 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____.

Claim(s) discussed: of record (1-12, 20, 23).

Identification of prior art discussed: Su (2002/0068102); Fischer (USPN 5,433,965); Yegorova (USPN 6,387,370); Downton (USPN 5,411,755).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


 HUMERA N. SHEIKH
 PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant discussed the use and properties of noni-fruit (*Morinda citrifolia*). Specifically, applicant indicated that noni fruit is known for its restorative properties and exhibits a very poor taste, which makes it difficult to digest. Applicant indicated that they have discovered that powdered form of Luo Han Guo (*Momordica* plant) is effective for masking the poor taste of noni fruit, thus making it palatable for intake. Applicant stated that the primary references of Su and Yegorova both recognize the use of noni fruit and the off-flavors exhibited by noni fruit. Applicant stated that while the secondary references of Fischer and Downton teach Luo Han Guo, they teach only the "liquid" forms of Luo Han Guo, whereby the liquid forms are used for sweetening purposes only, and do not teach "powdered form" of Luo Han Guo for masking flavor/taste of noni fruit. Applicant directed Examiner to Fischer (column 1, lines 53-59) and Downton (column 1, lines 63-68) for the teaching that the dry form of Luo Han Guo causes formation of a bitter, astringent and brown flavors. Examiner indicated that the claims are directed to a product-by-process and thus, the particular process by which the supplement is prepared is not given patentable weight. Applicant indicated that they will file a preliminary amendment which incorporates specific amounts/ranges of Luo Han Guo, to replace "effective amount" as in claim 1. Examiner further suggested to incorporate specific amounts/ranges of each ingredient being claimed (i.e., raspberry/blueberry extract) to aid in distinguishing over the prior art of record. Examiner further indicated that she will update her search prior to issuing another office action. No further specific agreement was reached at this time.